

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bangce Ye

Serial No.: 09/912,673

Group Art Unit: Not yet assigned

Filed: July 23, 2001

Examiner: Not yet assigned

For: MEDIUM AND LOW DENSITY GENE CHIPS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

OFFICE OF PETITIONS
DEPTY & CO PATENTS

**REONSE TO NOTICE OF
INCOMPLETE NONPROVISIONAL APPLICATION**

Sir:

Responsive to the Notice of Incomplete Nonprovisional Application, mailed September 13, 2001, applicant encloses the following for filing in the above-identified application:

1. English translation of Chinese application No. 001044958 filed in the U.S. Patent and Trademark Office on July 23, 2001;
2. Two Statements of Accuracy of Translation of Application;
3. Copy of English translation of Chinese application No. 001044958 filed in the U.S. Patent and Trademark Office on July 23, 2001, formatted to meet application requirements of U.S. Patent and Trademark Office, with Sequence IDs included pursuant to the enclosed sequence listing diskette and paper copy of sequence listing;
4. Amendment and Transmittal of Sequence Listing;

U.S.S.N: 09/912,673
Filed: July 23, 2001
**Response to Notice of Incomplete
Nonprovisional Application**

5. 3-1/2" sequence listing diskette;
6. Paper copy (20 pages) of sequence listing;
7. Declaration for Patent Application executed by Bangce Ye;
8. Power of Attorney or Authorization of Agent executed by Jiangnan Biotech Ltd.;
9. Statement Under 37 C.F.R. § 3.73(b) executed by Jiangnan Biotech Ltd., with attached copy of the executed Assignment from Bangce Ye to Jiangnan Biotech Ltd.;
10. Fee Transmittal (in duplicate); and
11. Check in the amount of \$130.00 for the large entity surcharge for late filing the Declaration for Patent Application.

This application is not entitled to claim small entity status pursuant to 37 C.F.R. § 1.27.

Applicant also encloses a copy of the Notice of Incomplete Nonprovisional Application, mailed September 13, 2001.

Applicant filed on October 19, 2001, a (a) Petition to Grant Filing Date for Nonprovisional Application; (b) copies of the application documents filed on July 23, 2001; (c) copy of the check submitted for the filing fee, including the fee for filing the English translation; (d) returned postcard indicating receipt by the Patent Office of the application papers and check on July 23, 2001; and (e) copy of the Notice of Incomplete Nonprovisional Application. Applicant has not yet received a decision on the Petition.

U.S.S.N: 09/912,673
Filed: July 23, 2001
**Response to Notice of Incomplete
Nonprovisional Application**

No additional fees are due at this time. However, should any fee be due, please charge such additional fee, or credit any overpayment in connection with this matter, to Deposit Account No. 50-1868. A duplicate of this transmittal is enclosed to facilitate this process.

Respectfully submitted,



Zhaoyang Li
Reg. No. 46,872

Date: November 13, 2001

HOLLAND & KNIGHT LLP
Suite 2000, One Atlantic Center
1201 West Peachtree Street, N.E.
Atlanta, Georgia 30309-3400
(404) 817-8531 (Telephone)
(404) 817-8588 (Fax)

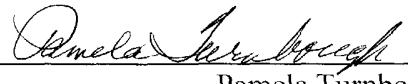
JNB 100
080399/00001

U.S.S.N: 09/912,673
Filed: July 23, 2001
Response to Notice of Incomplete
Nonprovisional Application



CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this RESPONSE TO NOTICE OF INCOMPLETE
NONPROVISIONAL APPLICATION, and any paper referred to as being attached or
enclosed, are being deposited with the United States Postal Service on the date shown below
with sufficient postage as first-class mail in an envelope addressed to Commissioner of Patents
and Trademarks, Washington, D.C. 20231.



Pamela Turnbough

Date: November 13, 2001

ATL1 #493478 v1

JNB 100
080399/00001



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PATENT & TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
DEPUTY ASST PATENTS
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/912,673	07/23/2001	Ye Bangce	JNB 100

23579
PATREA L. PABST
HOLLAND & KNIGHT LLP
SUITE 2000, ONE ATLANTIC CENTER
1201 WEST PEACHTREE STREET, N.E.
ATLANTA, GA 30309-3400

PETITION FILED

AFP 13 2001

PATENT OFFICE

CONFIRMATION NO. 6398

FORMALITIES LETTER



OC00000006548332

Date Mailed: 09/13/2001

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below **and a newly executed oath or declaration covering the items must** be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- **The balance due by applicant is \$ 840.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be

determined.

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



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PTO/SB/17 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\$)	130.00
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Complete if Known

Application Number	09/912,673
Filing Date	July 23, 2001
First Named Inventor	Bangce Ye
Examiner Name	
Group Art Unit	
Attorney Docket No.	JNB 100

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-1868

Deposit Account Name Holland & Knight LLP

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	279	355	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

SUBTOTAL (1) (\$)

SUBTOTAL (3) (\$)

130.00

* Reduced by Basic Filing Fee Paid

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Zhaoyang Li	Registration No. (Attorney/Agent)	46,872	Telephone	404-817-8531
Signature				Date	1/13/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



RECEIVED
OCT 13 2002
U.S. PATENT AND TRADEMARK OFFICE
REGISTRATION PENDING

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Filed: July 23, 2001 Examiner: Not yet assigned

For: MEDIUM AND LOW DENSITY GENE CHIPS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

STATEMENT OF ACCURACY OF TRANSLATION OF APPLICATION

Sir:

The undersigned does hereby certify that the English translation of Chinese application No. 001044958, filed in the U.S. Patent and Trademark Office on July 23, 2001, is an accurate, true, and correct translation of that application.

Signature: Ye Bangce

Printed Name: Ye Bangce

Company: Jiangnan Biotech Ltd

Date: Nov 12, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bangce Ye

Serial No.: 09/912,673

Filed: July 23, 2001

For: MEDIUM AND LOW DENSITY GENE CHIPS



Group Art Unit:

Not yet assigned

Examiner:

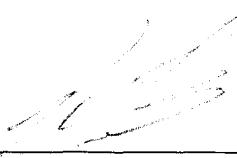
Not yet assigned

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Signature: 

Printed Name: Zhaoyang Li

Company: Holland & Knight LLP

Date: November 13, 2001

ATL1 #493524 v1

JNB 100
080399/00001